

C/ECF

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U.S. DISTRICT COURT E.D.N.Y.

★ NOV 13 2018 ★

MEMORANDUM TO  
THE HONORABLE JOANNA SEYBERT  
UNITED STATES DISTRICT JUDGE

LONG ISLAND OFFICE

RE: U.S. v. Harold Bendell  
U.S. v. Bruce Bendell  
DOCKET #: 17-CR-585  
SENTENCE DATE: November 30, 2018

**REQUEST FOR ADJOURNMENT DUE TO DELAY IN PRESENTENCE INVESTIGATION**

On July 26, 2018, the defendants pled guilty before Your Honor to a single-count information, charging the aiding and assisting in the preparation of a fraudulent income tax return. The investigations were assigned to the undersigned on July 31, 2018, with a scheduled sentence date of November 30, 2018.

At the present time, the Probation Department is completing the Offense Conducts for several defendants in the case U.S. v. Chartier, 17CR00372, pending before Your Honor; the cases have sentence dates within one week of the above-noted defendants and have been adjourned several times. Due to the myriad of holidays in early November (several of which are school holidays and require the undersigned to take leave), as well as the fact that the supervisor of the undersigned is at a conference for the majority of this week, it would be very difficult for the internal review of a complex securities fraud case and a tax fraud case involving defendants with very complex financial conditions to occur within such a short time frame. The Probation Department therefore requests that the sentencing for the above-noted defendants be adjourned until January 11, 2019, a date suggested by your courtroom deputy and which is acceptable to the undersigned, the Government, and both Defense Counsels, to allow for the Probation Department to prepare, review, and disclose complete and thorough presentence reports.

If Your Honor has any concerns regarding this matter, please contact the undersigned officer.

S/ Joanna Seybert 11/13/2018  
Application Granted Date  
U.S. District Judge

New Sentence Date and Time: 1/11/2019 at 10:00am

Application Denied \_\_\_\_\_ Date  
U.S. District Judge

RESPECTFULLY SUBMITTED,  
  
EILEEN KELLY  
CHIEF U.S. PROBATION OFFICER

Prepared by:  
Steven S. Guttman  
Steven S. Guttman  
U.S. Probation Officer  
(631) 712-6315

Date: November 5, 2018

cc: Steven J. Harfenist, Esq., Defense Counsel (Harold Bendell)  
Scott A. Resnik, Esq., Defense Counsel (Bruce Bendell)  
Burton T. Ryan, Jr., Esq., Assistant United States Attorney